

REMARKS

Claims 1, 12, and 21 have been amended. Claims 11 and 20 have been withdrawn from further consideration. Claims 1 through 21 remain in the application.

Claims 1 through 10 and 12 through 19 were rejected under 35 U.S.C. § 102(b) as being anticipated by Lichtenberg et al. (U.S. Patent No. 4,854,185). Applicants respectfully traverse this rejection.

U.S. Patent No. 4,854,185 to Lichtenberg et al. discloses a manually operated and locked conduit length adjuster system. Referring to FIGS. 2-8, an adjuster 35 comprises a plastic body 43 having an opening 44 therethrough. A locking member 49 is integrally attached to the body 43 by a hinge strap 50 at one end of body 43. The locking member 49 is provided with longitudinally spaced arcuate teeth 51, complementary to teeth 47, that are adapted to engage the teeth 47 on a slider 46. The locking member 49 moves through an open ended longitudinally extending opening 52 in the body 43 into engagement with the teeth 47. An integral transverse wall 57 is provided on the body 43 at the other end of U-shaped portion 53 and the strap 50 extends from a surface of the wall 57. The edges of portion 43 further include open ended openings 58 that are adapted to receive a second set of laterally extending pins 59 on the locking member 49 for locking the locking member 49 in position. Lichtenberg et al. does not disclose an end fitting retainer arm extending axially from a conduit end fitting for retaining a portion of a flexible cable in a predetermined position and a cable wire support extending axially from the conduit end fitting a distance less than the end fitting retainer arm and spaced radially from and located beneath the end fitting retainer arm to contact the cable.

In contradistinction, claim 1, as amended, clarifies the invention claimed as a cable end fitting retainer assembly for a vehicle including a conduit end fitting for connection to a flexible cable and an end fitting retainer arm extending axially from the conduit end fitting for retaining a portion of the flexible cable in a predetermined position. The cable end fitting retainer assembly also includes a cable wire support extending axially from the conduit end fitting a distance less than the end fitting retainer arm and spaced radially from and located beneath the end fitting retainer arm to contact the cable. Claims 12 and 21 have been amended similar to claim 1 and include other features of the present invention.

A rejection grounded on anticipation under 35 U.S.C. § 102 is proper only where the subject matter claimed is identically disclosed or described in a reference. In other words, anticipation requires the presence of a single prior art reference which discloses each and every element of the claimed invention arranged as in the claim. In re Arkley, 455 F.2d 586, 172 U.S.P.Q. 524 (C.C.P.A. 1972); Kalman v. Kimberly-Clark Corp., 713 F.2d 760, 218 U.S.P.Q. 781 (Fed. Cir. 1983); Lindemann Maschinenfabrik GMBH v. American Hoist & Derrick Co., 730 F.2d 1452, 221 U.S.P.Q. 481 (Fed. Cir. 1984).

Lichtenberg et al. '185 does not disclose or anticipate the present invention of claims 1 and 12. Specifically, Lichtenberg et al. '185 merely discloses a manually operated and locked conduit length adjuster system having an adjuster comprising a plastic body with an opening therethrough and a locking member integrally attached to the body by a hinge strap at one end of body. Lichtenberg et al. '185 lacks an end fitting retainer arm extending axially from a conduit end fitting for retaining a portion of a flexible cable in a predetermined position and a cable wire support extending axially from the conduit end fitting a distance less than the end fitting retainer arm and spaced radially from and located beneath the end fitting retainer arm to contact the cable. In Lichtenberg et al. '185, the body 43 extends axially a distance greater than the locking member 49 and is not spaced radially from an end fitting retainer arm to contact a cable.

Lichtenberg et al. '185 fails to disclose the combination of a cable end fitting retainer assembly for a vehicle including a conduit end fitting for connection to a flexible cable, an end fitting retainer arm extending axially from the conduit end fitting for retaining a portion of the flexible cable in a predetermined position, and a cable wire support extending axially from the conduit end fitting a distance less than the end fitting retainer arm and spaced radially from and located beneath the end fitting retainer arm to contact the cable as claimed by Applicants. Therefore, it is respectfully submitted that claims 1 and 12 and the claims dependent therefrom are allowable over the rejection under 35 U.S.C. § 102(b).

Claims 1, 12, and 21 were rejected under 35 U.S.C. § 102(b) as being anticipated by Wirsing et al. (U.S. Patent No. 5,953,963). Applicants respectfully traverse this rejection.

U.S. Patent No. 5,953,963 to Wirsing et al. discloses a cable-to-lever connection for a motion-transmitting mechanism. A cable fitting 26 includes a barrel 77 through which a cable 18 is slidable and has a stud 78 projecting laterally from the barrel 77 and having a necked-down

portion 80 defining a groove. The stud 78 is pressed through the aperture 76 of the retainer clip 32 so that locking shoulders 82, which project into the bore 74 from the prongs 68, 70 and 72, become captured in the groove of the necked-down portion 80 of the stud 78, thereby retaining the stud 78 within the actuating arm 16. In addition, the retainer clip 32 has a swing-over arm 84 which reaches from the cylindrical body 66 and has a snap fit receptacle 86 thereon which becomes clipped over the barrel 77 of the cable fitting 26 when the retainer clip 32 is swung over from the rest position of FIG. 3 to the installed position of FIG. 4. Wirsing et al. does not disclose an end fitting retainer arm extending axially from a conduit end fitting for retaining a portion of a flexible cable in a predetermined position and a cable wire support extending axially from the conduit end fitting a distance less than the end fitting retainer arm and spaced radially from and located beneath the end fitting retainer arm to contact the cable.

In contradistinction, claim 1, as amended, clarifies the invention claimed as a cable end fitting retainer assembly for a vehicle including a conduit end fitting for connection to a flexible cable and an end fitting retainer arm extending axially from the conduit end fitting for retaining a portion of the flexible cable in a predetermined position. The cable end fitting retainer assembly also includes a cable wire support extending axially from the conduit end fitting a distance less than the end fitting retainer arm and spaced radially from and located beneath the end fitting retainer arm to contact the cable. Claims 12 and 21 have been amended similar to claim 1 and include other features of the present invention.

Wirsing et al. '963 does not disclose or anticipate the present invention of claims 1, 12, and 21. Specifically, Wirsing et al. '963 merely discloses a cable-to-lever connection for a motion-transmitting mechanism having a cable fitting including a barrel through which the cable is slidable and has a stud projecting laterally from the barrel that is pressed through an aperture of a retainer clip. Wirsing et al. '963 lacks an end fitting retainer arm extending axially from a conduit end fitting for retaining a portion of a flexible cable in a predetermined position and a cable wire support extending axially from the conduit end fitting a distance less than the end fitting retainer arm and spaced radially from and located beneath the end fitting retainer arm to contact the cable. In Wirsing et al. '963, the retainer clip 32 has a swing-over arm 84, but there is no cable wire support extending axially from a conduit end fitting a distance less than an end fitting retainer arm and spaced radially from and located beneath the end fitting retainer arm to contact a cable.

Wirsing et al. '963 fails to disclose the combination of a cable end fitting retainer assembly for a vehicle including a conduit end fitting for connection to a flexible cable, an end fitting retainer arm extending axially from the conduit end fitting for retaining a portion of the flexible cable in a predetermined position, and a cable wire support extending axially from the conduit end fitting a distance less than the end fitting retainer arm and spaced radially from and located beneath the end fitting retainer arm to contact the cable as claimed by Applicants. Therefore, it is respectfully submitted that claims 1, 12, and 21 and the claims dependent therefrom are allowable over the rejection under 35 U.S.C. § 102(b).

Based on the above, it is respectfully submitted that the claims are in a condition for allowance, which allowance is solicited.

Respectfully submitted,

/Laura C. Hargitt/

Laura C. Hargitt - Attorney

Reg. No. 43,989

Telephone: 313-665-4710

Date: November 15, 2006